

STATE OF INDIANA) IN THE LAKE _____ COURT
) SS:
 COUNTY OF LAKE) SITTING _____

EVAN SANDIFER,)
)
 Plaintiff,)
)
 VS.) CAUSE NO.:
 DETECTIVE JAMES STAHL; DETEC-)
 MICHAEL HINCH and LIEUTENANT)
 MICHAEL HAMADY, in their individual)
 AND official capacities,)
)
 Defendants.)

COMPLAINT

COMES NOW, Plaintiff, Evan Sandifer by Counsel Scott King of King & Murdaugh, LLC and for his Complaint for Damages against the defendants, James Stahl; Michael Hinch and Michael Hamady alleges as follows:

THE PARTIES

1. On or about May 31, 2020 and at all relevant times thereafter, Evan Sandifer was a resident of Lake County, State of Indiana.
2. On or about May 31, 2020 and at all relevant times thereafter, James Stahl; Michael Hinch and Michael Hamady were sworn officers of the Lake County Sheriff's Department and were acting under color of state law.

THE FACTS

3. On May 31, 2020 Mr. Sandifer was at near the Southlake mall in Lake County Indiana participating in a peaceful protest against racially discriminatory police practices.

4. At that time and place, Mr. Sandifer was lawfully in possession of two (2) firearms and was lawfully permitted by the State of Indiana to carry said weapons.
Defendant Michael Hinch ordered Mr. Sandifer to put one of his weapons on the ground and Mr. Sandifer complied with that directive. Immediately thereafter, Defendant James Stahl took the said firearm and passed it to Defendant Michael Hamady who locked the weapon in his (Hamady's) vehicle. Thereafter, Defendant Hamady also seized a second firearm from Mr. Sandifer and locked it in his (Hamady's) vehicle as well.

COUNT I: SECTION 1983 ILLEGAL SEARCH AND SEIZURE
Against All Defendants

5. Each paragraph of this Complaint is incorporated as if restated fully herein.
6. Defendant Hinch seized Plaintiff's person without probable cause, acting under color of state law.
7. Defendants Hinch, Stahl and Hamady individually and in concert with one another, seized Plaintiff's property without probable cause, acting under color of state law.
8. As a result of said Defendants' actions, Plaintiff suffered financial and emotional injuries and loss.
9. The Complaint against all Defendants is for damages arising out of the violation of civil rights pertaining to Plaintiff which are in direct violation of the United States Constitution.
10. Plaintiff had a clearly established right to be free from unreasonable search and seizure under the Fourth Amendment to the United States Constitution; the right of assembly and freedom of speech under the First Amendment to the United States Constitution and the right to bear arms under the Second Amendment to the United

States of America, all of which are applicable to the Defendants' actions under the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

11. The Defendants, at all times relevant to this Complaint, were acting within the scope of their office and employment with the Lake County Sheriff's Department.

PRAYER FOR DAMAGES

WHEREFORE, having asserted various causes of action and alleging facts in support thereof, the Plaintiff, Evan Sandifer, prays for judgment and damages against the Defendants as previously stated and as follows:

- a. awarding the Plaintiff general and/or compensatory damages, including without limitation damages for his pain and suffering, mental anguish, embarrassment, humiliation, and/or general emotional distress, in amounts to be determined at trial;
- b. awarding the Plaintiff punitive damages for the Defendants' willful and/or malicious violation of his civil rights or its reckless indifference to his civil rights;
- c. awarding the Plaintiff his costs and attorney's fees;
- d. awarding the Plaintiff treble damages in an amount up to three times the amount of his compensatory damages for the egregious nature of Defendants' actions.
- e. for all other legal and/or equitable relief this Court deems just and proper in the premises.

Dated this 27th day of May, 2022

Respectfully submitted,

King & Murdaugh, LLC

By: /s/ Scott King
Scott King No.: 5208-45
Attorney for Plaintiff

Barrister Court
9211 Broadway
Merrillville, IN 46410
219/769-6300 - Fax 219/769-0633

REQUEST FOR JURY TRIAL

The Plaintiff, Evan Sandifer, respectfully requests that this cause be tried by jury.

Respectfully submitted,

King & Murdaugh, LLC

By: /s/ Scott King
Scott King No.: 5208-45
Attorney for Plaintiff
Barrister Court
9211 Broadway
Merrillville, IN 46410
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